

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Axel HUEGLE et al.

Serial No.: 10/554,419

Filed: October 24, 2005

For: Operating Device

Examiner: Smith, Matthew J.
Group Art: 3635

Conf. No.: 5176

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

SIR:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated September 14, 2009 of the Primary Examiner twice or finally rejecting claims 16-19 and 21-28.

The items checked below are appropriate:

1. The time for response to the Final Office Action of September 14, 2009 expires on March 14, 2010.
2. A _-month extension of time for response to the Office Action dated _ was filed on . [No additional extensions of time are required.]
- 3a. Applicant hereby request a three-month extension of the original shortened statutory response period set in the Final Office Action of September 14, 2009. Payment in the amount of \$ 1,110 for the government fee for an extension of time is included with the appeal fee.

3b. This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . Payment for the additional extension fee of \$ is enclosed.

4. Payment of the appeal fee and extension fee of \$1,650
 is enclosed herewith.
 No additional fee is required (fee paid in prior appeal).
 Charge the fee to Deposit Account No. 03-2412.

5. Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid, to Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Alfred W. Froebrich/
Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: March 15, 2010